

Federal Defenders OF NEW YORK, INC.

Southern District
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BY ECF

December 5, 2019

Hon. Paul A. Crotty
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007

Re: *United States v. Joshua Adam Schulte*, 17 Cr. 548 (PAC)

Dear Judge Crotty:

Under the current scheduling order, any “as-applied” constitutional challenge to CIPA is due tomorrow, December 6, 2019. However, since the Court has not yet resolved all of the disputed CIPA issues, an as-applied constitutional challenge is not yet ripe for briefing. Accordingly, the defense respectfully requests the opportunity to file an as-applied constitutional challenge to CIPA, if warranted, within two weeks after the Court resolves all outstanding CIPA issues.

Respectfully submitted,

/s/
Edward S. Zas/Sabrina P. Shroff

cc: Counsel of Record (by ECF)